

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT
OF OKLAHOMA

FILED

AUG 27 2019

UNITED STATES OF AMERICA,

Plaintiff,

v.

JERRY DRAKE VARNELL,

Defendant.

CARMELITA REEDER SHINW, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY DEPUTY

Case No. CR-17-239-D

MOTION TO REMOVE COUNSEL

NOW COMES the Defendant, Jerry Drake Varnell, through a pro se action, motioning the Court to remove counsel of record, Marna S. Franklin for the following reasons:

- 1) Defendant has asked counsel Marna S. Franklin to remove herself from this case and she refuses.
- 2) Defendant and counsel are in disagreement to how the trial was handled.
- 3) Counsel consistently doesn't acknowledge defendants request; i.e. refused to address certain defenses, refused to motion for a change of venue.
- 4) Counsel rested trial regardless of request to call further witnesses.
- 5) Counsel has not kept defendant updated on further proceedings.

Defendant has other counsel that has been appointed to this case since it was deemed a complex case. Defendant is not in need of Marna S. Franklins counsel since Mr. Varnell has other attorneys who are more qualified to handle the remainder of the case.

Defendant request that, Vicki Behenna be replaced as defendants, Jerry Drake Vernell's, lead attorney and counsel of record. Defendant asks that all files and evidence be sent to Vicki Behennas office. Furthermore, Laura K. Deskin is also listed as defendants counsel of record. Defendant acknowledges his right to counsel and that there are times that the Court will not allow the removal of counsel to not infringe on his constitutional rights. Considering, that there are three attorneys listed on this case and the trial has been completed, defendant feels confident it would not be a miscarriage of justice to remove an attorney that has consistently caused defendant grief because she will not acknowledge his request.

Wherefore, the Defendant prays that your Honor will remove Marna S. Franklin from this case and appoint Vicki Behenna as lead counsel and allow Laura K. Deskin to remain as listed counsel to aid Vicki Behenna in the remainder of the case.

Respectfully Submitted,

Jerry Drake Varnell
Grady County Jail
215 N. 3rd St.
Chickasha, OK 73018

Residing Court Clerk,
This is Jerry Varnell requesting this motion
to be filed in case # CA-17-239-D. Also requesting
for a receipt of filing.

Please & Thank You,

Jerry D Varnell